

REMARKS/ARGUMENTS

Claims 1, 3-14, 17-20, 26-31, 33-37, and 40-46, as amended, are currently pending for the Examiner's review and consideration. Applicants appreciate the Examiner's acknowledgment of the allowability of claims 2-3 and 32-33, if they were not dependent upon an otherwise-rejected base claim. As a result, Applicants have amended claim 1 to include the subject matter of claim 2 and have amended claim 26 to include the subject matter of claim 32. Claims 2 and 32 have been accordingly cancelled. In addition, to expedite prosecution, Applicants have also cancelled claims 21 and 24. No new matter has been added.

Claim 1 was rejected under 35 U.S.C. § 112, second paragraph, as being indefinite, as detailed on pages 3-4 of the most recent Office Action. Applicants respectfully traverse this rejection.

The Examiner has indicated that Applicants' prior arguments have raised a claim interpretation issue in the instant claims regarding what element is fed with the liquid preheated boiler feed water. To the extent that there was any doubt, Applicants hereby confirm that the Examiner's previous reading was correct – the steam generator is fed with the liquid preheated boiler feed water in the instant claims.

Nevertheless, Applicants now see that the Examiner has misconstrued Applicants' remarks in their previous Amendment dated January 8, 2008. On pages 11-12 of that previous Amendment, Applicants only characterized the elements of the Jörgensen reference and opined on the inapplicability of the Jörgensen elements to the instantly claimed elements in claim 1. Applicants also pointed out what Applicants saw as incorrect assumptions by the Examiner about the Jörgensen reference. Indeed, Applicants' actual statements, which seemed to have been taken out of context and misinterpreted, were as follows:

In the Jörgensen process, the particle-containing hot effluent gas first encounters a superheater element (10), which the Examiner erroneously characterizes as a heat exchanger "associated with a steam generator (9)". The Jörgensen element (10) is, in fact, a superheater, which is clearly not associated with the Jörgensen evaporator (9), in the sense that superheater (10) supplies no thermal energy to the evaporator (9). If the Examiner regards the Jörgensen superheater (10) as corresponding to Applicants' first heat exchanger, then this Jörgensen element (10) does not impart heat to liquid preheated boiler feed water therein If the

Examiner regards the Jörgensen evaporator (9) and reservoir (8) as corresponding to Applicants' first heat exchanger and steam drum, respectively, then there are also some additional significant differences between these elements of the Jörgensen reference and those corresponding elements of Applicants' invention. Clearly, the Jörgensen evaporator (9) does not produce high pressure steam, as is required of the first heat exchanger in Applicants' claimed arrangement, because the effluent gas in Jörgensen has already had substantial heat extracted by the Jörgensen superheater (10), which produces high pressure steam. Further, the Jörgensen reservoir (8) cannot correspond to Applicants' steam drum, as the Examiner contends, because the only gaseous stream leaving the Jörgensen reservoir (8) is "water vapor" being fed to the superheater (10). This "water vapor" is simply not high pressure steam, as is required in Applicants' claims to be produced by Applicants' steam drum.

Applicants respectfully took issue with the Examiner's characterization of the Jörgensen elements and the Examiner's application of the combined Jörgensen elements to read on certain of Applicants' claimed elements. Any implication that the Examiner has taken regarding Applicants' previous statements as characterizing Applicants' claimed elements is mistaken.

Because Applicants maintain that the steam generator is, and always has been, fed with the liquid preheated boiler feed water in the instant claims, Applicants respectfully submit that claim 1 is not now, nor was at any time, indefinite and respectfully request that the indefiniteness rejection be reconsidered and withdrawn.

Claims 1, 8-11, 17, 20, 21, 24, 26-31, 40, and 44 were rejected under 35 U.S.C. § 102(b) as being anticipated by, or alternately under 35 U.S.C. § 103(a) as being obvious over, U.S. Patent No. 4,509,326 to Jörgensen ("Jörgensen"). Additionally, claims 4, 12-14, 26, 34, 45, and 46 were rejected under 35 U.S.C. § 103(a) as being obvious over Jörgensen alone, or alternately over Jörgensen, in view of U.S. Patent Application Publication No. 2002/0016522 to Vaughn ("Vaughn"). Further, claims 5-7, 18, 19, 35-37, and 41-43 were rejected under 35 U.S.C. § 103(a) as being obvious over U.S. Patent No. 5,043,517 to Haddad ("Haddad"), either alone or in combination with Vaughn. Applicants respectfully traverse each of these rejections.

Because of the Examiner's acknowledgment of the allowability of claims 2 and 32, *inter alia*, and due to Applicants' amendments to independent process claims 1 and 26 to incorporate the subject matter of claims 2 and 32, respectively (as well as the cancellation of independent apparatus claim 21), Applicants respectfully submit that the aforementioned rejections have been

overcome and/or rendered moot. As a result, Applicants respectfully request the reconsideration and withdrawal of the aforementioned rejections, based on the currently pending claims.

CONCLUSIONS

Applicants have made an earnest effort to place their application in proper form and to distinguish their claimed invention from the applied prior art. It is also respectfully requested that the Examiner expeditiously notify Applicants' undersigned attorney as to the disposition of the amendments and arguments presented herein in accordance with M.P.E.P. § 714.13.

If there are any questions regarding this response or the application in general, a telephone call to the undersigned would be appreciated, since this should expedite the prosecution of the application for all concerned.

Respectfully submitted,

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Date

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